

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

UNITED STATES OF AMERICA  
v.

**ORDER SETTING CONDITIONS  
OF RELEASE**

Ryan Payne

Case Number: **3:16CR00051-4 BR**

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.
- (2) The defendant must cooperate in the collection of a DNA sample if the collection is authorized by 42 U.S.C § 14135a.
- (3) The defendant shall immediately advise the court through Pretrial Services or defense counsel in writing of any change in address and telephone number.
- (4) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall next appear as directed by U.S. District Court.

**Additional Conditions of Release**

IT IS FURTHER ORDERED that the defendant be released provided that the defendant:

1. The defendant shall report to U.S. Pretrial Services for supervision.
2. The defendant shall abide by the following restrictions on personal association, place of abode, or travel: Travel is restricted to Clark County, NV and the District of Oregon for court purposes only.
3. The defendant shall maintain residence at: 845 South Kenny Way, Las Vegas, Nevada, 89107 and may not move prior to obtaining permission from the Court.
4. The defendant shall have no contact directly or indirectly with any person who is listed as a witness on the government's witness list.
5. The defendant shall avoid all contact directly or indirectly with co-defendant(s) unless it is in the presence of counsel.
6. The defendant shall refrain from possessing a firearm, destructive device, or other dangerous weapons.
7. Any firearms and/or dangerous weapons shall be removed from the defendant's possession and/or residence prior to his release from custody and the defendant shall provide written proof of such to Pretrial Services or the supervising officer.
8. The defendant shall submit to any testing required by Pretrial Services or the supervising officer to determine whether the defendant is using a prohibited substance. Any testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system and/or any form of prohibited substance screening or testing. The defendant shall refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing or monitoring which is/are required as a condition of release.
9. The defendant shall pay all or part of the cost of the testing program based upon his/her ability to pay as Pretrial Services or the supervising officer determines.

10. The defendant shall refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.
11. The defendant shall not be in the presence of anyone using or possessing a narcotic drug or other controlled substances.
12. The defendant shall participate in a program of inpatient or outpatient substance abuse therapy and counseling if Pretrial Services or the supervising officer considers it advisable.
13. The defendant shall pay all or part of the cost of the substance abuse treatment program or evaluation based upon his/her ability to pay as determined by Pretrial Services or the supervising officer.
14. The defendant shall undergo medical or psychiatric treatment.
15. The defendant shall submit to a mental health evaluation as directed by Pretrial Services or the supervising officer.
16. The defendant shall pay all or part of the cost of the medical or psychiatric treatment program or evaluation based upon his/her ability to pay as determined by Pretrial Services or the supervising officer.
17. The defendant shall participate in the following location monitoring program component and abide by its requirements as Pretrial Services or the supervising officer instructs.

**Home Incarceration:** The defendant is restricted to 24-hour-a-day lock-down except for medical necessities and court appearances or other activities specifically approved by the court.

18. The defendant shall submit to the type of location monitoring technology indicated below and abide by all of the program requirements and instructions provided by Pretrial Services or the supervising officer related to the proper operation of the technology.

Global Positioning Satellite (GPS) monitoring.

19. The defendant shall not tamper with, damage, or remove the monitoring device and shall charge the said equipment according to the instructions provided by Pretrial Services or the supervising officer.
20. The defendant shall pay all or part of the cost of the location monitoring program based upon his/her ability to pay as determined by Pretrial Services or the supervising officer.
21. The defendant shall not occupy or camp in any federal land without prior approval of U.S. Pretrial Services.
22. Regarding Nevada Case Number 2:16-cr-000046-GMN-PAL-4, upon the earlier of (1) the entry of any jury verdict disposing of the charges against him, (2) a finding of guilt based on a guilty plea to any of the charges against him, or (3) the complete dismissal of the case against him, this order is revoked, and defendant shall be immediately remanded to the custody of the U.S. Marshals for a 48-hour period. A status hearing will be set within that time in order to make arrangements for defendant's appearance in the District of Oregon.

#### **Advice of Penalties and Sanctions**

**TO THE DEFENDANT:**

**YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:**

A violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of release, an order of detention, forfeiture of bond, and a prosecution for contempt of court and could result in a term of imprisonment, a fine, or both.

The commission of any crime while on pre-trial release may result in an additional sentence to a term of imprisonment of not more than ten

years, if the offense is a felony; or a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence shall be in addition to any other sentence.

Federal law makes it a crime punishable by up to ten years of imprisonment, and a \$250,000 fine or both to intimidate or attempt to intimidate a witness, victim, juror, informant or officer of the court, or to obstruct a criminal investigation. It is also a crime punishable by up to ten years of imprisonment, a \$250,000 fine or both, to tamper with a witness, victim or informant, or to retaliate against a witness, victim or informant, or to threaten or attempt to do so.

If after release, you knowingly fail to appear as required by the conditions of release, or to surrender for the service of sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, you shall be fined not more than \$250,000 or imprisoned for no more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, you shall be fined not more than \$250,000 or imprisoned for no more than five years, or both;
- (3) any other felony, you shall be fined not more than \$250,000 or imprisoned no more than two years, or both;
- (4) a misdemeanor, you shall be fined not more than \$100,000 or imprisoned not more than one year, or both;

A term of imprisonment imposed for failure to appear or surrender shall be in addition to the sentence for any other offense. In addition, a failure to appear may result in the forfeiture of any bond posted.

#### **Acknowledgment of Defendant**

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

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Signature of Defendant

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City, State & Zip

**Special Needs Finding:**

Based upon the above conditions, including the conditions relating to:

- Alcohol detection
- Drug detection
- Computer monitoring

The Court is reasonably assured the defendant will appear as directed and not pose a danger to the community or any other person.

**Directions to the United States Marshal**

- The defendant is ORDERED released after processing.
- The defendant is ORDERED temporarily released.
- The United States Marshal is ORDERED to keep the defendant in custody until notified by the clerk, Pretrial Services or judicial officer that the defendant has posted bond and/or complied with all other conditions for release including space availability at a community corrections center or residential treatment facility. If still in custody, the defendant shall be produced before the duty Magistrate Judge on \_\_\_\_\_ at \_\_\_\_\_.

Date: 12/1/2017



Signature of Judicial Officer

Anna J. Brown  
U.S. Senior District Judge

Name and Title of Judicial Officer